

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RICKY FRANKLIN

Case No.: 1:18-cv-00161-LJV

Plaintiff,

vs.

BISON RECOVERY GROUP, INC.

Defendant.

**DEFENDANT BISON RECOVERY GROUP, INC.’S NOTICE OF MOTION PURSUANT
TO FEDERAL RULES OF CIVIL PROCEDURE 56(d)**

PLEASE TAKE NOTICE that Defendant Bison Recovery Group, Inc (“Defendant”) (“Defendant”), by and through its attorneys, hereby moves, pursuant to Federal Rules of Civil Procedure 56(d), for an Order denying Plaintiff Ricky Franklin’s (“Plaintiff”) Motion for Summary Judgment, or in the alternative, defer consideration of Plaintiff’s Motion for Summary Judgment until the close of discovery in order to provide Defendant with an opportunity to obtain sufficient discovery from Plaintiff.

In support of this Motion, Defendant relies on the Memorandum of Law in Support of Defendant’s Motion and the Declaration of Brendan H. Little, Esq., with annexed exhibits, all filed simultaneously herewith.

Pursuant to Local Rule 7(a), Defendant hereby informs the Court that it intends to file and serve reply papers in further support of this Motion.

Dated: February 12, 2020

LIPPES MATHIAS WEXLER FRIEDMAN LLP

/s Brendan H. Little
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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2020, I electronically filed the foregoing Notice of Motion via the CM/ECF system, which should then send notification of such filing to all counsel of record. A copy of the Notice of Motion was also sent by first class mail to Plaintiff Ricky Franklin at:

Ricky Franklin
708 Brambling Way
Stockbridge, GA 30281

/s Brendan H. Little
Brendan H. Little, Esq.